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7 County of Los Angeles, Edward Boyer, and Sterling Norris

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10

11 TIMOTHY GANTT,  
12 Plaintiff,  
13 vs.

Case No. CV 08-05979 ODW (CWx)  
Honorable Otis D. Wright II  
Consolidated with:  
**CV09-08565 ODW (CWx)**

14  
15 COUNTY OF LOS ANGELES, CITY  
OF LOS ANGELES, RICK LANE,  
16 #116702, JOSE L. REYES #21778,  
AL GONZALES #15614, LT. LOUIS  
17 TROVATO, WILLIE WILLIAMS,  
EDWARD BOYER, STERLING  
18 NORRIS, AND DOES 1-10,  
INCLUSIVE,  
19 Defendants.

**JUDGMENT AFTER TRIAL BY  
JURY**

20  
21 MICHAEL SMITH,  
22 Plaintiff,  
23 vs.

24 CITY OF LOS ANGELES, RICK  
LANE, #116702, JOSE L. REYES  
25 #21778, AL GONZALES #15614, LT.  
LOUIS TROVATO, WILLIE  
26 WILLIAMS, AND DOES 1-10,  
INCLUSIVE,  
27 Defendants.  
28

1 On June 2, 2009 Defendants County of Los Angeles, Edward Boyer, and  
2 Sterling Norris filed a Motion to Dismiss Plaintiff's Second Amended Complaint.  
3 On July 16, 2010, the Court granted this Motion as to Defendant Norris. Plaintiff  
4 conceded that the County of Los Angeles and Defendant Boyer should also be  
5 dismissed. Defendants County of Los Angeles, Edward Boyer, and Sterling Norris  
6 filed a proposed Judgment on July 17, 2010, but no final judgment was entered.

7 This action came on regularly for trial on November 9, 2010, in Courtroom  
8 "11" of the United States District Court for the Central District of California before  
9 the Honorable Otis D. Wright, II, Trial Judge. Plaintiffs Timothy Gantt and Michael  
10 Smith were represented by Chijioke O. Ikonte and Emmanuel C. Akudinobi. The  
11 Defendants, City of Los Angeles, Louis Trovato, Jose L. Reyes, Rick Lane, and Al  
12 Gonzales, were represented by Deputy City Attorney Surekha A. Pessis and Deputy  
13 City Attorney Geoff Plowden.

14 A jury of twelve (12) persons were regularly empaneled and sworn. Witnesses  
15 were sworn and testified and documentary evidence was introduced and admitted  
16 into evidence. After hearing the evidence and arguments of counsel, the jury was  
17 duly instructed by the Court and the cause was submitted to the jury with directions  
18 to return a verdict on the issues if, after proper deliberations, they could do so. The  
19 jury deliberated and thereafter returned to the court with their unanimous verdict as  
20 follows, to-wit:

21 **JURY VERDICT**

22  
23 "TITLE OF COURT AND CAUSE"

24 "WE, THE JURY, in the above-entitled action, unanimously find on the questions  
25 presented as follows:

26 ///

27 ///

28

**MALICIOUS PROSECUTION**

QUESTION NO. 1: Did any of the defendants subject plaintiff Michael Smith to malicious prosecution?

YES \_\_\_\_\_ NO X \_\_\_\_\_

*If you answered "yes", please proceed to Question No. 2.*

*If you answered "no", please proceed to Question No. 4.*

QUESTION NO. 2: Please place a check mark next to the name of each defendant who caused Michael Smith to be maliciously prosecuted.

Rick Lane \_\_\_\_\_

Jose Reyes \_\_\_\_\_

*Please proceed to Question No. 3.*

QUESTION NO. 3: Was the defendant's conduct as found by you in Question No. 1 a substantial factor in causing injury to Michael Smith?

Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_

*Please proceed to Question No. 4.*

///

1 QUESTION NO. 4: Did any of the defendants subject plaintiff Timothy Gantt  
2 to malicious prosecution?  
3

4 YES \_\_\_\_\_ NO X \_\_\_\_\_  
5

6 *If you answered "yes", please proceed to Question No. 5.*

7 *If you answered "no", please proceed to Question No. 7.*  
8

9 QUESTION NO. 5: Please place a check mark next to the name of each  
10 defendant who caused Timothy Gantt to be maliciously  
11 prosecuted.  
12

13 Rick Lane \_\_\_\_\_

14 Jose Reyes \_\_\_\_\_  
15

16 *Please proceed to Question No. 6.*  
17

18 QUESTION NO. 6: Was the defendant's conduct as found by you in Question  
19 No. 4 a substantial factor in causing injury to Timothy  
20 Gantt?  
21

22 Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

23 Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_  
24

25 *Please proceed to Question No. 7.*  
26

26 ///

27 ///

28 ///

1 QUESTION NO. 7: Did any of the defendant's deny plaintiff Michael Smith  
2 his due process right to fair trial by use of fabricated  
3 evidence?  
4

5 YES \_\_\_\_\_ NO X \_\_\_\_\_  
6

7 *If you answered "yes", please proceed to Question No. 8.*  
8 *If you answered "no", please proceed to Question No. 10.*  
9

10 QUESTION NO. 8: Please place a check mark next to the name of each  
11 defendant who caused Michael Smith to be denied of his  
12 due process right to a fair trial.  
13

14 Rick Lane \_\_\_\_\_  
15

16 Jose Reyes \_\_\_\_\_  
17

18 *Please proceed to Question No. 9.*  
19

20 QUESTION NO. 9: Was the defendant's conduct as found by you in Question  
21 No. 7 a substantial factor in causing injury to Michael  
22 Smith?  
23

24 Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_  
25

26 Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_  
27

28 *Please proceed to Question No. 10.*  
29

30 ///

31 ///

1 QUESTION NO. 10: Did any of the defendant's deny plaintiff Timothy Gantt  
2 his due process right to fair trial by use of fabricated  
3 evidence?

4  
5 YES \_\_\_\_\_ NO. X

6  
7 *If you answered "yes", please proceed to Question No. 11.*  
8 *If you answered "no", please proceed to Question No. 13.*  
9

10 QUESTION NO. 11: Please place a check mark next to the name of each  
11 defendant who caused Timothy Gantt to be denied of his  
12 due process right to a fair trial.

13  
14 Rick Lane \_\_\_\_\_

15 Jose Reyes \_\_\_\_\_  
16

17 *Please proceed to Question No. 12.*  
18

19 QUESTION NO. 12: Was the defendant's conduct as found by you in Question  
20 No. 10 a substantial factor in causing injury to Timothy  
21 Gantt?

22  
23 Rick Lane YES \_\_\_\_\_ NO \_\_\_\_\_

24 Jose Reyes YES \_\_\_\_\_ NO \_\_\_\_\_  
25

26 *Please proceed to Question No. 13.*  
27

28 ///

///

**CONSPIRACY**

QUESTION NO. 13: Do you find that defendants Rick Lane and Jose Reyes conspired to violate plaintiff Timothy Gantt's constitutional rights?

YES \_\_\_\_\_ NO X \_\_\_\_\_

*If you answered "yes", please proceed to Question No. 14.  
If you answered "no", please sign and date the verdict form.*

QUESTION NO. 14: Was the conspiracy a substantial factor in causing harm to Timothy Gantt?

YES \_\_\_\_\_ NO \_\_\_\_\_

DATED: November 24, 2010

FOREPERSON OF THE JURY

**JUDGMENT**

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That judgment be, and hereby is, entered in favor of the Defendants COUNTY OF LOS ANGELES, STERLING NORRIS, EDWARD BOYER, CITY OF LOS ANGELES, RICK LANE, JOSE L. REYES, AL GONZALES, LOUIS TROVATO, and WILLIE WILLIAMS and against Plaintiff TIMOTHY GANTT;
2. That the Plaintiff shall take nothing;
3. That the Defendants recover their costs of suit herein.

Dated: December 1, 2010

  

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OTIS D. WRIGHT

**United States District Judge**